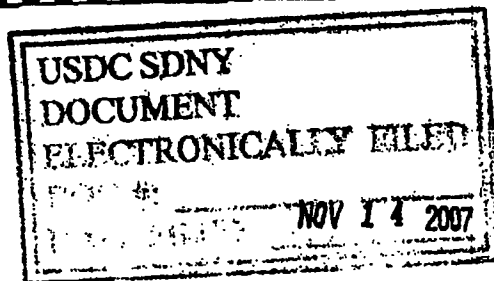


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November 12, 2007

BY FACSIMILE: (212) 805-0423

The Honorable Laura T. Swain  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 755  
New York, NY 10007

Re: Columbia Pictures Industries, Inc. v. Cohen,  
07 Civ. 3597 (LTS)

## MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel for the represented parties and filing a certificate of service within 5 days from the date hereof. Do not attach such certification to Chambers.

Dear Judge Swain:

We are writing to request a one month adjournment of the hearing on Plaintiffs' application for a preliminary injunction and the pre-trial conference, both of which are presently scheduled to be held on November 15, 2007. This is our fifth request to adjourn the hearing on Plaintiffs' application and our fourth request to adjourn the pre-trial conference. The previous requests were all granted.

We request these additional adjournments because Plaintiffs and certain Defendants have filed settlement agreements with the Court and we continue to be actively engaged in settlement discussions with the remaining non-defaulting Defendants.

Thank you for your attention to this matter.

Copies ~~mailed~~ <sup>FAXED</sup> to PLA Counsel  
Chambers of Judge Swain 11-14-07

Respectfully submitted,

W. Drew Kastner

The hearing and conference are adjourned to  
Approved this 13 day of November, 2007 December 14, 2007  
at 9:45 a.m.

Hon. Laura T. Swain

## **MOSES & SINGER LLP**

The Honorable Laura T. Swain  
November 12, 2007  
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cc: Sidney Weisberg, Esq.  
Hugh H. Mo, Esq.  
Leah Terranova, Esq.  
Harry Shapiro, Esq.